

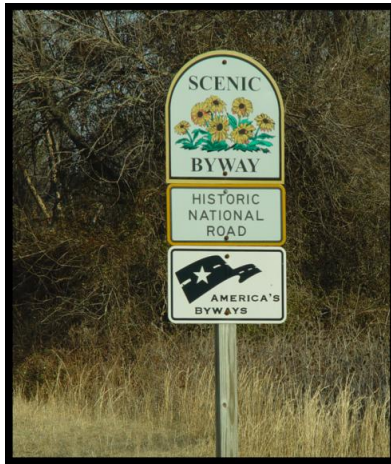
Frederick County, Maryland

2011 Annual Planning Report

Report on Smart Growth Goals, Measures, and Indicators

Report on Growth Related Changes

Report on APFO Restrictions



**Prepared by
Frederick County Community Development Division
30 N. Market Street
Frederick, Maryland 21701**

301-600-1138

www.frederickcountymd.gov/planning

Table of Contents

	Page Number
Introduction	1
Planning Commission & Community Development	2
Directory of Commission's and Staff	3
Development Activity	5
Smart Growth Goals, Measures, and Indicators	11
Community Facilities	13
Zoning Administration	14
Comprehensive Planning	17
Land Preservation	20

Introduction

The 2011 Planning Report for Frederick County, Maryland was prepared pursuant to the requirements of Article 66B of the Annotated Code of Maryland. This report provides a summary of the year's planning activities undertaken by the Community Development Division (formerly Division of Planning) and also documents development activity.

This report also addresses the following reporting requirements by the Maryland Department of Planning:

- Report on Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions
- Report on Growth Related Changes – the referenced changes may be found under other sections including Development Activity (p. 5), Community Facilities (p. 13), Zoning Administration Highlights (p. 14), Comprehensive Planning Highlights (p. 17)
- Report on APFO Restrictions

The changes in development patterns are found to be consistent with the 2010 County Comprehensive Plan. The amendments to the County Zoning Ordinance and the Adequate Public Facilities Ordinance are consistent with the 2010 County Comprehensive Plan and implement the State visions.

Project/Activity Highlights

- In February 2011 what was previously the Division of Planning and the Division of Permitting and Development Review were merged and reorganized into the Community Development Division. This reorganization also brought the Office of Economic Development, the Office of Environmental Sustainability, and the Watershed Management section under the Community Development Division.
- Acquired 12 land preservation easements on 1,575 acres, up from 12 easements on 1,572 acres in 2010.
- Processed 18 Board of Zoning Appeals cases.
- Processed one piecemeal (1) Zoning Map Amendment.
- Processed 21 Zoning Text Amendments.
- Processed 13 Water and Sewerage Plan amendments.

Development and Demographic Highlights

- The estimated county population, as of April 2012, was 236,272. This represents an average annual increase since 2010 of about 0.6%/year.
- The 533 permits issued for new residential dwellings in 2011 was a drop of 210 dwellings from 2010 (743 dwellings) and was even lower than 2008 (562) when the recession was at its height.
- Commercial and industrial construction activity declined from 2010 by 15 permits to 666 permits issued in 2011.
- The first new preliminary subdivision plan since about 2007 was approved for the Mayne property in Libertytown for 193 dwellings.
- Residential lot recordation for County subdivisions continues a declining trend since 2009 with 157 recorded lots in 2011.

Planning Commission and the Community Development Division

The Frederick County Planning Commission was established in July 1955 with the responsibility for preparing and administering plans and development regulations for the County. The Planning Commission is appointed by the Board of County Commissioners and its members serve for five year terms while one County Commissioner serves as liaison to the Planning Commission. The Planning Commission has final authority over site plans, subdivision plats, modifications to the subdivision regulations and determination of Adequate Public Facilities (APFO) for new developments. On items such as zoning map amendments, zoning or subdivision text amendments, and water/sewer plan amendments, the Planning Commission has an advisory role through the provision of a recommendation to the County Commissioners, who have the final authority to adopt or amend these plans and regulations. With regard to Comprehensive Plans, the Commission has recommending role and forwards such Plans to the County Commissioners for final adoption.

Planning Commission members as of December 2011:

- John McClurkin, Chair
- Richard Floyd, Vice-Chair
- Robert Lawrence, Secretary
- Catherine Forrence
- Audrey Wolfe
- Bob White
- Billy Shreve, BOCC Liaison

Community Development Division

In February 2011 the Division of Planning and the Division of Permitting and Development Review were reorganized and merged with several other offices to form the Community Development Division, which was organized with three departments/offices.

Department of Planning and Development Review

- Comprehensive planning including preparation of the Countywide Comprehensive Plan and the community/corridor plans.
- Responsible for functional planning areas including water and sewer, transportation, historic preservation, and environmental planning.
- Conducts planning/engineering reviews of site plans and subdivisions and administers Forest Resource Ord. and the Adequate Public Facilities Ord.
- Provides staff assistance and coordination with the County's 12 municipalities.
- Land preservation which administers various State and County Agricultural Preservation programs.
- Provides Zoning administration and enforcement of the Zoning Ordinance. Administers the Board of Appeals.
- Includes the Sustainability staff that was previously under the County Managers Office and the Watershed Management staff that were previously under the Division of Public Works to form a new Office of Sustainability and Environmental Resources

Department of Permits and Inspections

- Administers building permit services and inspections
- Includes Office of Life Safety responsible for fire code reviews of building plans.
- Conducts grading permit reviews and inspections

Office of Economic Development

- Focuses on marketing and business retention

The following commissions and boards are served by the Division staff:

- Board of Zoning Appeals
- Agricultural Preservation Advisory Board
- Agricultural Reconciliation Committee
- Historic Preservation Commission
- Monocacy Scenic River Board
- Transportation Services Advisory Council
- Business & Development Advisory Council
- Sustainability Commission

Directory of Commissions and Staff

As of December 2011

Board of County Commissioners

Blaine R. Young, President
C. Paul Smith, Vice President
Billy Shreve
David P. Gray
Kirby Delauter

Planning Commission

John McClurkin, Chair
Richard Floyd, Vice-Chair
Robert Lawrence, Secretary
Audrey Wolfe
Bob White
Catherine Forrence
Billy Shreve, Commissioner Liaison

Board of Zoning Appeals

Laura Roholt Westdorp, Chair
Ronald W. Peppe Sr, Vice-Chair
John Clapp
Sean Michalski
Al Duke
Chris Manners, Alt.

Agricultural Preservation Advisory Board

Alan Wilcom, Chairman
Zene Wolfe
Richard Grossnickle
Thomas L. Browning
Mehrle Ramsburg, Jr.

Historic Preservation Commission

William DeMartini, Chair
Jessica Cramer Winter, Vice-Chair
G. Bernard Callan, Jr.
James Moser
Kathryn McKenzie
Gary D. Baker
Tyler Bastian
Daniel Hall
Barbara Wyatt
Kristie Baynard
Nicholas Redding
Whitney Cruey, Alt.
Don Briggs, Alt.

Monocacy Scenic River Citizens Advisory Board

Bill Hensley, Vice-Chair	Brian Cronin, Chair
Jack Lynch	Tom Devilbiss
Becky Kile	Andrew Aughenbaugh
Bob Whiting	Scott Scarfone
Vacant	Tom Robertson, Jr.

Division Staff

Director

Eric Soter 301-600-1411

Strategic Planning

Shawna Lemonds 301-600-1165
Todd Weidman 301-600-1436

Permits and Inspections

Director,

Gary Hessong, 301-600-2028

Manager Life safety/Plan Review,

Bryon Mitchell, 301-600-1943

Manager Permitting Services,

Sharon Goetz, 301-600-1082

Customer Services Supervisor,

Pam Moulton 301-600-1089

Comprehensive Planning

Planning Manager

Jim Gugel, AICP 301-600-1144

Historic Preservation

Denis Superczynski, AICP 301-600-1142

Transportation

Ron Burns 301-600-6742

Dial Keju 301-600-7402

Water and Sewer

Tim Goodfellow, AICP 301-600-2508

Development Review

Tolson Desa 301-600-6729

John Dimitriou 301-600-1150

Denis Superczynski, AICP 301-600-1142

Mike Wilkins 301-600-2329

Zoning Administration

Zoning Administrator

Larry Smith 301-600-1491

Board of Zoning Appeals

Craig Terry 301-600-1351

Permit Review

Craig Terry 301-600-1351

Justin Horman 301-600-1143

Zoning Enforcement

Bill Bigelow 301-600-1141

Land Preservation

Land Preservation Administrator

Anne Bradley 301-600-1474

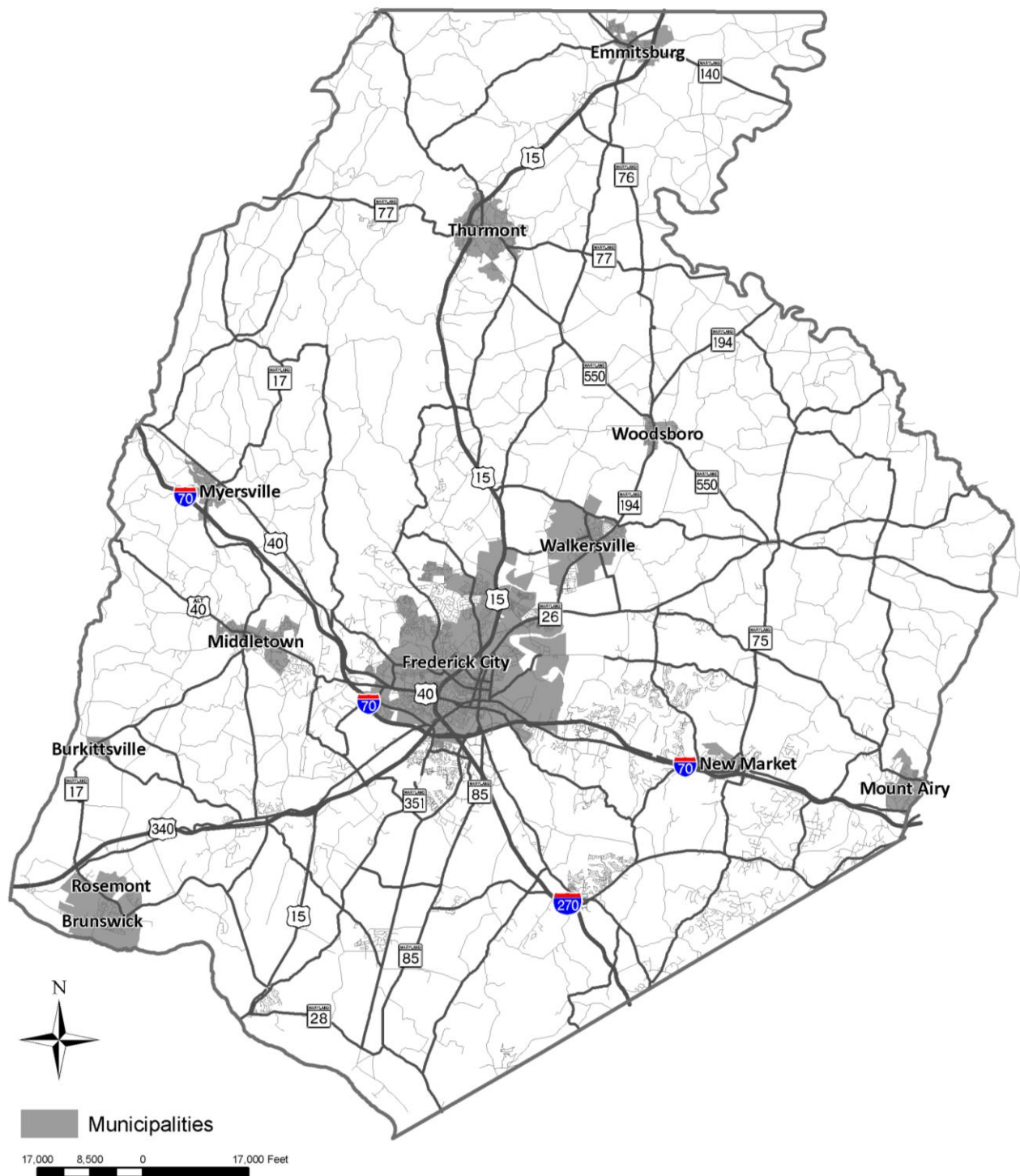
Mapping and Data Services

Yeon Kim 301-600-1155

Mary McCullough 301-600-2324

Administrative/Technical Support Staff

Lori Barlett, Erica Cooke, Allyson DeSantis, Emily Roche, Linda Williamson



Development Activity

Housing Construction

In 2011, the number of permits issued for residential dwellings took a significant decline from 2010's 743 dwellings. The 533 dwellings permitted in 2011 was even lower than 2008 and is a level not seen since the mid/late 1960's. This is the fourth consecutive year the County has issued fewer than 1,000 new dwelling permits. The last period when the County experienced this level of housing activity was 1967 – 1971.

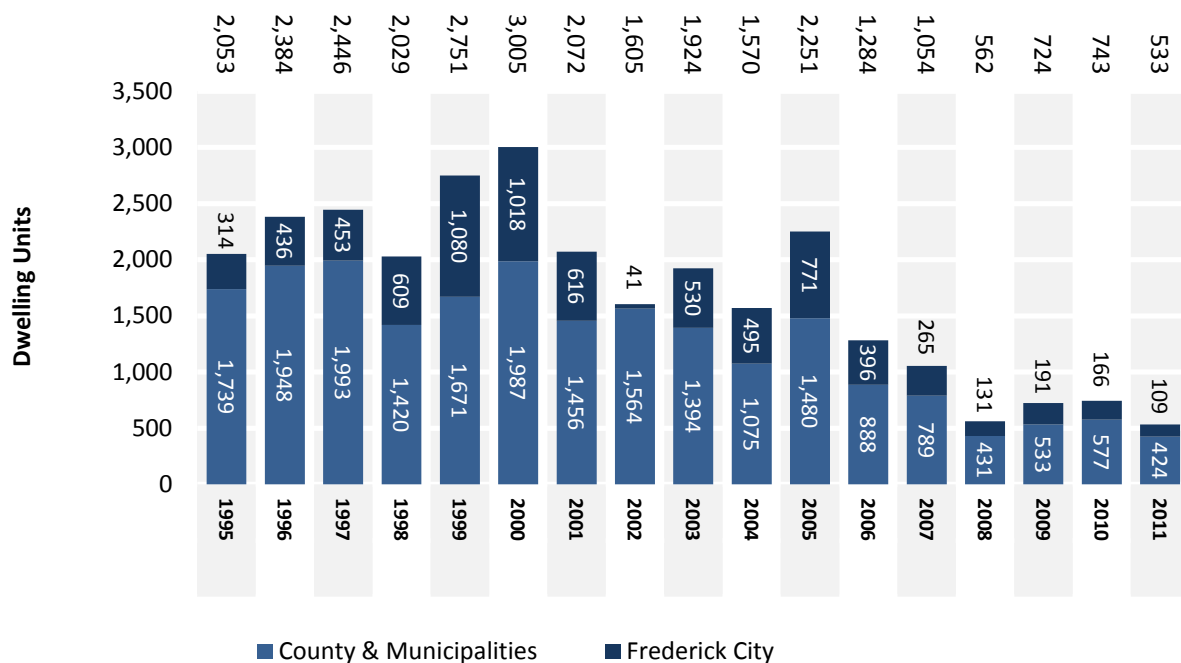
The start of the 2010 decade shows a two-year average of 638 dwellings/year. The decade of 2000 to 2010

averaged 1,600 dwellings/year, down from an average of 2,000 dwellings/year through the 1990's.

Commercial and Industrial Construction

There were a total of 666 commercial and industrial permits issued in Frederick County in 2011, which is down slightly from 681 permits in 2010. Types of commercial and industrial permits include new buildings or businesses, additions to existing buildings, and changes in tenancy within commercial buildings. During the past 5 years, there has been an average of 673 such permits issued annually.

Housing Unit Permits: 1995-2011



Source: Frederick County Community Development Division

Residential Subdivision Activity

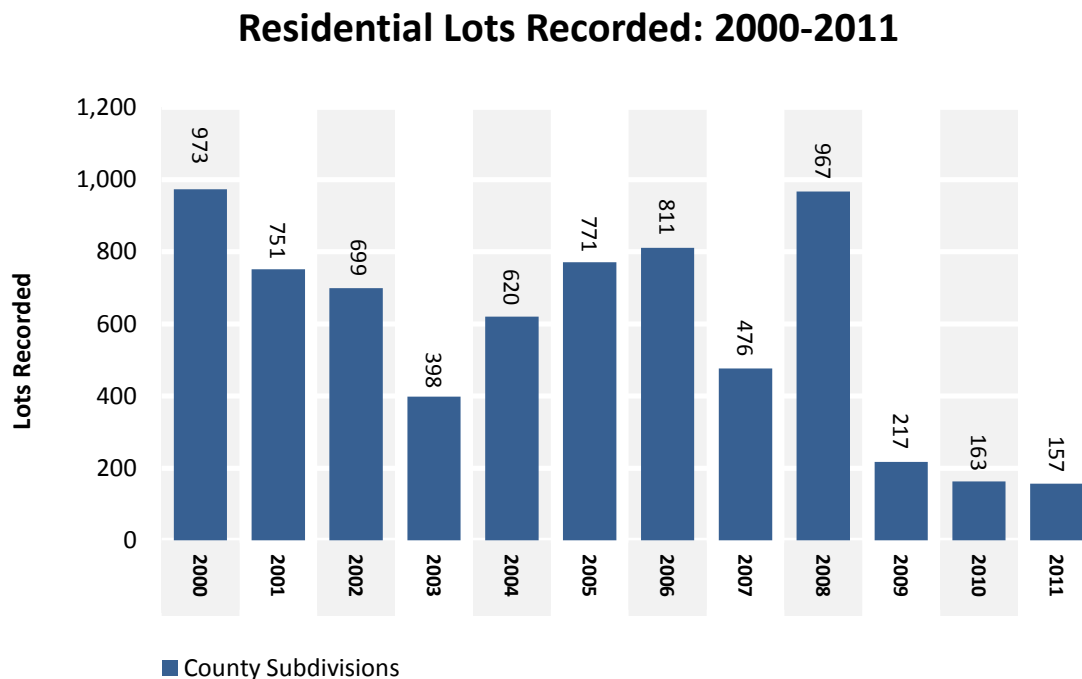
Subdivision activity continues at historic lows for 2011. The number of residential lots recorded for county subdivisions only was 157 down slightly from 163 in 2010.

2011 did see the approval or re-approval of three preliminary subdivision plans.

- Mayne Property – 193 dwellings in Libertytown
- Woodlands Preserve – 73 dwellings in Linganore
- Preston – 91 dwellings in Bartonsville

The Woodlands Preserve and Preston projects were re-approvals. All three of these projects are located in a Priority Funding Area (PFA).

The graph below shows the residential lot recordation activity since 2000. This would include lots zoned Agricultural, Resource Conservation, and residential and only includes County subdivisions. For the 10-year period since 2000 there has been an average lot recordation of 668 lots/year. During the 1990's the average was 947 lots/year.



Source: Frederick County Community Development Division

Residential Pipeline Summary

The pipeline describes how many residential lots/dwelling units have received some level of development approval but are not yet built. The pipeline data below captures residential developments approved under the County's jurisdiction as well as by the municipalities.

Under the County's jurisdiction the pipeline includes any lot or dwelling unit approved for residential use including those zoned Agricultural and Resource Conservation in addition to developments zoned residential, Planned Unit Development (PUD), or Mixed Use Development (MXD).

This table reflects the pipeline as of July 1, 2011. The pipeline in December 2009 totaled 20,035 lots/dwellings.

Jurisdiction	Traditional Pipeline	Recorded Lots/Dwellings Available	Unrecorded Pass APFO	Pending APFO
Municipalities (except Frederick City)	1,906	258	1,703	91
Frederick City	4,755	1,079	2,464	1,487
Municipal Subtotal	6,661	1,337	4,167	1,578
Lots of Record/Minor sub's	1,552	1,489	0	0
Major Projects	8,099	1,183	4,234	2,979
County Subtotal	9,651	2,756	4,274	2,979
Total	16,312	4,093	8,441	4,557

Traditional Pipeline: Dwelling Units Approved less the number of Building Permits Issued.

Lots/Dwellings Available: Includes units approved at the Preliminary Plan, Phase II, or Phase I PUD or MXD Plan stage but not yet developed.

Unrecorded Pass APFO: The number of lots in a subdivision which have not yet been recorded but have passed the APFO.

Pending APFO: The number of lots in a subdivision which have not passed the APFO.

Source: Frederick County Community Development Division, City of Frederick Planning Department

Site Plan Activity

The table on the following page lists the site plans approved by the County Planning Commission during 2011. The map on page 10 shows the locations of the site plans relative to the community growth areas and Priority Funding Areas (PFA's). The 24 projects listed for 2001 is just one higher than the 23 site plans approved in 2010.

2011 Site Plan Development Approvals			
Map Number	File Number	Name	Description
1	SP 03-11	Catoctin Quaker Camp	expand several existing buildings and add new cabins.
2	SP 05-22	Sam's Club	expand existing facilities and also requesting landscaping & parking lot modifications
3	SP 10-13	Tractor Supply & Endless Summer RV	expand existing facilities and also requesting landscaping & parking lot modifications.
4	SP 10-10	Stups Market	add gas pumps to an existing market.
5	SP 99-19c	Verizon Wireless	erect a communications tower adjacent to the EZ Storage Building.
6	SP 98-26	Make Shift Development	construction of a 19,000 square foot building, comprising 3,500 square feet of interior storage and 1,200 square feet of office space. The plan is also proposing a 15,000 square foot area for Outdoor Retail Sales. The applicant is also proposing 88 associated parking spaces.
7	SP 02-13	Mountain View Community Church	construct two new parking lots with a total of 156 additional parking spaces.
8	SP 79-06	Cell Tower-911 Governmental Utility Project	non-binding review and comment in accordance with Zoning Ordinance Section 1-19-4.110.B. Frederick County EMS is proposing to construct a 190' self-supporting tower with foundation, (2) 1,000 gallon propane tanks with foundations, as well as (2) concrete shelters with foundations for radio equipment and generators.
9	SP 79-06	Carmax	36,726 square foot automobile dealership and accessory automobile repair shop, on a 12.76-acre site located within the GC General Commercial zoning district.
10	SP 84-22	Mount Saint Mary's Solar Array	construct an un-manned solar array farm consisting of 220,000 solar panels, on a 135.84-acre tract.
11	SP 02-20	Sheetz Convenience Store	construct a 5,686 square foot convenience store and gasoline dispensing pumps. The plan proposes to remove the existing used car facility located on the site.
12	SP 98-33	Beckley's Camping Center	construct a 40' X 60' sales building as well as additional parking areas for RV repair and storage.
13	B-10-11	Boyers Mill Road Cell Tower	construct a 141' foot monopole, with equipment shelter within a fenced compound on a 31.73-acre site located along Boyer's Mill Road.
14	SP 00-12	Stanford Industrial Park-Lot	construct a 22,575 square foot Contractor's Office and Warehouse/Storage building with 28 parking spaces on 3.51 acres.
15	SP 09-06	Xa Loi Temple	construct a 4,695 square foot Place of Worship with Accessory Caretaker's Apartment, on a 33.21-acre tract.
16	SP 05-08	Linton at Ballenger, Section II	modification to the Townhome side yard setback from 4 feet to 3 feet in order to accommodate the builder's architecture as well as the architectural features required by the county.
17	SP 84-22	Mount St. Mary's University Welcome Center at the Grotto	construct a 7,249 square foot Welcome/Visitor's Center building.
18	SP 11-07	T-Mobile-Cell Tower Unipole Putnam Tract	construct a 150' foot tall stealth unipole, with a 25' x 40' fenced equipment enclosure located on a 22.00-acre tract.
19	SP 88-04	Frederick/Carroll County Renewable Waste-to-Energy Facility	132,000 square foot renewable waste to energy facility structure, with a 270-foot tall stack. The total facility square footage will be approximately 155,000 square feet
20	SP 89-40	Anna Prayer Counseling Center	construct a 12,565 square foot building as well as a 1,132 square foot addition onto an existing house for a retreat/conference center located on a 139.5-acre tract.
21	SP 11-08	AT&T Cell Tower Sabillasville: Worth Tract	construct a 150' foot tall monopole, with an 11.5' x 20' equipment shelter within a 50' x 50' fenced equipment enclosure located on a 13.95-acre tract.
22	S-1065	Villages of Urbana- Phase II PUD Land Use Plan Revision	revision of their approved Phase II for the Villages of Urbana PUD. Proposed changes to sections M-1 and M-22b will modify dwelling unit density and type while maintaining the previously approved overall number of dwellings.
23	SP 11-11	Grant County Mulch	Wholesale mulch operation and wood waste recycling facility. . On August 25, 2011, the Applicant received special exception approval to establish a wood waste recycling facility in the AG zone.

2011 Site Plan Development Approvals			
Map Number	File Number	Name	Description
24	SP 95-40	Damascus Road Community Church	Phase 2A and 2B consisting of a combined 53,610 sq.ft. Church gymnasium and grand sanctuary plus additional parking on 36 acres. Phase 1 of the church received FCPC approval for 22,520 square feet on April 8, 2009.
25	SP 11-10	Cingular Wireless AT&T Cell Tower Harman Gap: Yarworth Tract	construct a 150' foot tall monopole, with an 11.5' x 20' equipment shelter within a 50' x 50' fenced equipment enclosure located on an 18.75-acre tract.
26	SP 90-12	Woodlands Preserve at Westwinds, Section VI,	73 townhouse lots on 26.55 acres. The site plan was previously approved (as condominium units) on March 11, 2009. The applicant resubmitted the previously approved 73-unit condominium proposal as a fee-simple market rate unit development.
27	SP 95-53	St. Joseph's Carrollton Manor Roman Catholic Congregation	construction of a 14,796 square foot new church sanctuary and associated uses located on a 21.87-acre parcel.
28	SP 89-20	Kingsbrook Shopping Center: Giant Grocery Fuel Pumps	five-fuel pump facility with a 120 square foot kiosk and bathroom structure, located on a 15.22 acre pad site within the Kingsbrook Shopping Center.
29	SP 84-22	Mount Saint Mary's Student Housing	construct six student-housing buildings totaling 72,990 square feet. Each building will contain 35-36 beds for a total of 212 beds located on a 10.87-acre portion of the overall 454.18-acre tract.

Smart Growth Goals, Measures, and Indicators

Local Land Use Goals

The County's 2010 Comprehensive Plan includes several goals to support development within the community growth areas. The 2010 Plan continues the implementation of the Community Concept, which was first developed in the County's 1972 Plan that focuses growth into the municipal growth areas and unincorporated growth areas. Since most the designated Priority Funding Areas (PFA's) are located within the community growth areas (CGA's) are referenced as a proxy for PFA's.

- Reduce non-rural development outside of CGA's while maintaining opportunities for compatible agricultural support services and uses in Rural Communities.
- Increase the proportion – and 'per acre' unit density – of new residential development occurring within CGA's while minimizing new residential development outside of the County's CGA's.
- Establish as a targeted goal for the development and redevelopment of lands within CGA's, an average density of 7.5 dwellings/acre by the year 2025.

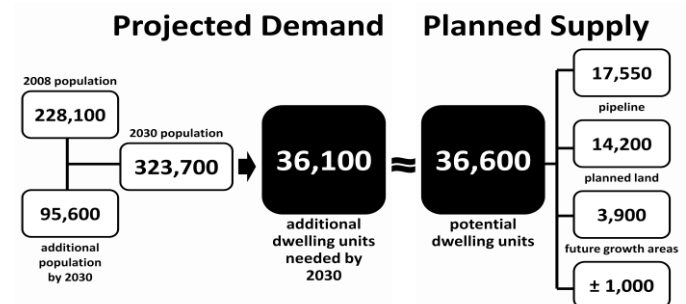
Measures and Indicators

MDP Reports that for the last two decades, 1990 – 99 and 2000 – 09, Frederick County Residential (Single Family Parcels 20 acres or less) Inside a Priority Funding Area (excluding comment areas) is 80.02% and 82.99 % respectively. This is greater than the statewide averages of 74.77% and 69.20% for those time periods respectively. In fact, in the last decade Frederick County's 82.99% of Residential Single Family Parcels inside a PFA is the highest of all of the Maryland Counties.

The number of residential acres inside a PFA is also greater than the statewide average for the last two decades. From 1990-99 Frederick County's percent was 26.62% as compared to 24.28 for the state. The most recent decade from 2000-09 saw Frederick County's percent at 26.15% compared to a statewide average of

Development Capacity Analysis

This analysis was prepared as part of the 2010 County Comprehensive Plan. A separate report, *Residential Needs and Development Capacity Analysis* is available on our web page. A summary of the capacity analysis is provided below:



The residential needs analysis, including refinements to the methodology will be made as part of the Amended 2010 Countywide Plan currently underway.

Agricultural Land Preservation

In 2011 the County acquired agricultural/land preservation easements for a total of 1,575 acres. Of this total 877 acres were preserved under the County's Installment Purchase Program (IPP). A detailed breakdown of land preservation by all programs can be found on page 20.

22.57%.

Subdivision Inside/Outside PFA's

Of the 157 residential lots recorded in 2011, 88 (56%) were located within PFA's. For the non-PFA lots the average lot size is 9.5 acres and works out to a density of .1 dwellings/acre.

Adequate Public Facilities Ordinance Restrictions

APFO Amendments

The Board of County Commissioners, (effective July 20, 2011), approved the School Construction Fee Option Ordinance, which allows for a third option to address schools at or over 100% of capacity but less than 120%. This fee would be in addition to the school development impact fee, which is paid at the issuance of building permit. The mitigation fee would be paid at the time of lot recordation for each lot/dwelling with the following ranges based on the dwelling type.

- Elementary - \$897 – \$3,870
- Middle - \$336 - \$2,530
- High - \$420 - \$3,646

Schools

The County's Adequate Public Facilities Ordinance (APFO) establishes the school adequacy threshold at 100% for all school levels. Based on the Frederick County Public Schools *Enrollment and Capacity Report as of September 30, 2011* there were 13 elementary, four (4) middle, and one (1) high schools whose enrollments were at or over 100 % of the state rated capacity. Many of these school districts include areas in both the county and a municipality and not all of the municipalities have their own APFO's.

Elementary – Seven of the affected elementary schools are located within the City of Frederick with one just outside the City. Four schools are located in the Urbana, New Market, and Linganore communities in the eastern part of the county. One school, Tuscarora, is located in the Ballenger Creek community south of the City of Frederick. Only one school, Yellow Springs, has a school district that is mostly outside of a Priority Funding Area (PFA).

Middle – Three of the middle schools are located in the eastern part of the county with one in Urbana, one in Linganore, and the third in the Green Valley area. The school in the Green Valley area, Windsor Knolls, is completely outside a PFA.

High – The only high school over 100% is Middletown, located in the western part of the county.

School Projects – The 2011 Educational Facilities Master Plan (EFMP) includes 11 elementary school projects that would add 4,124 new seats. Six projects are renovation/additions and five are for new schools. There are two middle school projects for additions to Urbana and Oakdale Middle and one high school renovation for Frederick High. All of these projects are proposed for completion between 2012 and 2020. The EFMP is updated annually, and the priorities are folded in the six-year County Capital Improvement Program (CIP).

Roads

APFO amendments, approved in 2010, to the roads portion generally tightened the thresholds for road adequacy. The one part of the County that is particularly affected is the MD 85 corridor from I-270 south to English Muffin Way. This corridor is the County's largest commercial/employment area and has approximately 655 acres of undeveloped commercial/employment zoned land.

The Maryland State Highway Administration has an active project to widen MD 85 between Guilford Dr. and English Muffin Way. Phase 1 will widen MD 85 at the I-270 interchange and will include interim improvements to the interchange. Phase 1 is under design and is not funded for construction. Phase 2 will widen the northern portion from I-270 to Guilford Dr. and Phase 3 will widen the southern portion from I-270 to English Muffin Way. Phases 2 and 3 are currently not funded for design.

Community Facilities

Coordination of the priority and location of community facilities is a key element in the comprehensive planning process. The County Comprehensive Plan identifies the general location of planned facilities expected to be needed over a 20-year time frame. The specific locations and timing for construction of the facilities is implemented through the Capital Improvements Program (CIP) and through the development process.

Capital Improvements Program

The Community Development Division with the Budget Office and Finance Department jointly prepares a six-year Capital Improvements Program (CIP). Following submittal of requests by departments and agencies, the staff prioritizes and schedules the requests after review of the County Comprehensive Plan and funding resources including a debt affordability limit analysis for proposed bonding. The staff recommendations are then presented to the Planning Commission for review and comment and to the Board of County Commissioners for final approval on funding and timing.

The CIP for FY 2012-2017 was adopted in July 2010. The CIP totaled \$404,580,250 for the entire 6-year program an increase from \$305,073,120 in the prior FY 2011-2016 CIP. The summary of the 6-year CIP is as follows:

General Government	\$ 60.4 million
Water & Sewer	\$ 53.0 million
Solid Waste	\$.3 million
Parks & Recreation	\$ 21.1 million
Watershed Restoration	\$ 1.1 million
Roads, Bridges, Highways	\$ 82.9 million
Frederick Com. College	\$ 15.0 million
Schools	\$179.5 million
Municipal Projects	\$ 0.9 million
Total	\$404.0 million

Less Appropriation for future yrs (8.4 million)

School Facilities

The County's Approved FY 2012-2017 CIP includes four projects to increase school capacity:

- Lincoln Elem. – Renovation/addition 84 new seats
- Oakdale Elem. – Addition 240 new seats
- Waverly Elem. – Addition 200 new seats
- N. Frederick Elem. – Renovation/addition 180 new seats

There were no new schools or additions to existing schools opened in 2011.

Transportation Facilities

There were no new roads or major expansion projects completed in 2011.

Effective November 1, 2011 the Board of Commissioners reduced the Building Excise Tax, which was allocated to highway projects, to \$0 but maintained the enabling legislation itself.

Other Facilities

The new/renovated Brunswick Community Library was opened in the spring 2011. There were no other facilities such as fire stations or parks completed/opened in 2011.

Zoning Administration Highlights

Board of Appeals

The 18 cases filed for 2011 continues to be consistent with the previous two years; 2009 having 18 and 2010 having 16. The types of requests heard were almost an even split, with 10 Variances and 8 Special Exceptions. There were no hearings of Administrative Error.

CASE #	APPLICANT	REQUEST	DECISION
B-11-01	CONSTELLATION ENERGY PROJECT & SERVICES GROUP INC.	Special exception to establish a nongovernmental utility operated photovoltaic solar farm per Ordinance sections 1-19-5.310, 1-19-210, and 1-19-8.339	Granted
B-11-02	LIBERTY TOWERS	Special exception to establish a 195 ft. communications tower/monopole with a 4 ft. lightning rod and 100 ft. x 100 ft. leased areas with a 70 ft. x 80 ft. fenced equipment compound	Granted
B-11-03	NEW CINGULAR WIRELESS PCS LLC/AT&T MOBILITY	Special exception to establish a 156 ft. communication tower/monopole including a 6 ft. lightning rod with twelve (12) antennae attached a centerline height of 148 ft. and 11 ft. 5 in. x 20 ft. concrete pad within a 50 ft. x 50 ft. compound	Granted
B-11-04	MATTHEW & PATRICIA BEARD	Variance of 30 ft. from the required 50ft. front yard setback in order to erect a garage	Granted
B-11-05	MICHAEL TROJECKI & BARBARA BOYCE	Variance of 14.9 ft. from the required 25. Ft. front yard setback and a variance of 22.5 ft. from the required 25. Ft. FEMA Floodplain buffer	Granted
B-11-06	JOYCE E. PICKETT	Variance of 30 ft. from the required 40 ft. front yard setback in order to erect a pole shed	Granted
B-11-07	GRANT COUNTY MULCH INC./ JORDAN ASSOC.	Special exception to establish a limited wood waste recycling facility (mulch storage area)	Granted
B-11-08	KEVIN D. & EILEEN S. GORDON	Variance of 20 ft. from the required 40 ft. front yard setback in order to erect a garage	Granted
B-11-09	WILLIAM RUCKER	Variance of 8.5 ft. from the required 22 ft. rear yard setback in order to construct a screened sunroom/porch	Denied
B-11-10	DOUGLAS & VLASTA BELT	Variance of 14 ft. from the required 40 ft. front building restriction line in order to build an addition	Granted
B-11-11	BEAZER HOMES c/o GAVIN ROBINSON	Variance of 3 ft. from the 30 ft. rear building restriction line in order to complete construction of home	Granted
B-11-12	BRIAN & JONI DEYAERT	Variance of 3 ft. from the required 25 ft. front yard setback in order to construct a roof cover over existing concrete stoop/porch	Granted
B-11-13	SCOTT & DEBORAH KEIMIG	Variance of 12 ft. from the required 30 ft. front yard setback in order to construct an accessory structure	Granted
B-11-14	JOSEPH & KIMBERLY BROWN	Variance of 32 ft. from the required 90 ft. total yard setback to construct a 24 ft. x 21 ft. garage	Withdrawn
B-11-15	ZIGBOON LLC	Special exception to establish a Country Inn	Granted
B-11-16	FOX HAVEN/ HARRIET CROSBY	Special exception to establish a rustic retreat/camp	Granted
B-11-17	AJAY & RENU PRAKASH	Special exception to establish a Country Inn	Granted
B-11-18	JOHN & KAREN TREDWAY	Special Exception to establish a home occupation in an accessory structure	Granted

Zoning Text Amendments

Since 2007 the County has updated the zoning ordinance in phases with a thematic/topical approach. In 2011 the Board of Commissioners approved the following amendments as part of the update.

<p>ZT-11-14</p> <p>Effective Dec. 7, 2011</p>	<p><u>Mixed Use (Euclidean) Zoning District</u></p> <p>Created a new Mixed Use Euclidean zoning district including related provisions to Establish a purpose statement; Identify permitted uses by adding the district to the Use Table; Establish minimum lot area, lot width, setbacks, and maximum height; and Provide supplementary district regulations including design standards and multiple structure and mixed use provisions</p>
<p>ZT-11-02 thru ZT-11-13</p> <p>Effective Nov. 7, 2011</p>	<p><u>Priority 2 Text Amendments</u></p> <ul style="list-style-type: none"> • (ZT-11-02)- Increase maximum storage capacity of petroleum product storage in the LI and GI zoning districts • (ZT-11-03)- Return the Planned Development Residential and Planned Development Employment terminology to Planned Unit Development and Mixed Use Development • (ZT-11-04)- Amend the Priority Preservation Area provisions within the Open Space Recreation floating zone • (ZT-11-05)- Permit limited accessory apartments as an accessory use and accessory apartments through site development plan review • (ZT-11-06)- Permit temporary mobile homes as an accessory use • (ZT-11-07)- Permit animal hospital or veterinary clinic in the General Commercial zoning district through site development plan review • (ZT-11-08)- Permit automobile repair or service shop in the Limited Industrial district through site development plan review • (ZT-11-09)- Provide consistency in permitted signage for places of worship and other commercial and industrial land uses in commercial and industrial districts • (ZT-11-10)- Increase the permitted signage for lots with buildings facing multiple public streets • (ZT-11-11)- Increase flexibility of outside storage requirements within the Limited Industrial and General Industrial zoning districts • (ZT-11-12)- Increase the permitted square footage devoted to product sales for limited roadside stands • (ZT-11-13)- Remove the Highway Service zoning district from the zoning ordinance
<p>ZT-11-01</p> <p>Effective May 31, 2011</p>	<p><u>Priority 1 Text Amendments</u></p> <ul style="list-style-type: none"> • Provide for limited landscape contractor and outdoor sports recreation facility land uses as permitted use in the Agricultural zoning district; • Amend processing of duplex and two-family dwellings, setbacks, concept plan, and maximum footprint requirements within the Village Center zoning district; • Amend Type-II and Type-III Administrative Site Development Plan Review provisions; • Amend Planned Commercial/Industrial Development provisions; • Establish provisions for electronic message signs; • Increase sign square footage allotment for limited roadside stands; • Establish provisions for Commercial Vehicle Storage on Farms

Zoning Map Amendments

One case was considered in 2011.

- R-11-1 – Richard Choate request to rezone 24.5 acres from Agricultural to Open Space Recreation (OSR). This property is located in the Thurmont planning region and is for an expansion of the Catocin Zoo.

Zoning Enforcement

Over 603 initial and follow-up inspections were conducted in 2010 in order to determine if violations exist. Complaints decreased by 20% from 2009 when 251 complaints were filed.

Violations of the Zoning Ordinance are enforced through civil citations and fines. The imposition of fines is used as a deterrent and is not intended to be a revenue generator for the County insofar as ensuring compliance with the land use regulations. As a last resort, some cases are adjudicated through the District Courts.

Type of Violation or Inspection	Total	Percentage of Total
Zoning Certificate/ Permit Compliance & Follow-up	90	45%
Nuisance	42	21%
Site Plan Conformance	4	1%
Home Occupations	22	11%
Real Estate Signs	2	1%
Miscellaneous	41	21%
Total	201	100%

GIS and Data Services

The Division of Planning Geographic Information Systems (GIS) and Data Services continues to work in cooperation with Frederick County's Enterprise GIS and other County GIS agencies to provide technical data development and mapping. In addition Planning GIS develops and maintains GIS data for zoning, comprehensive plan, master water and sewer plans, environmental plans, historic preservation, transportation plans as well as many other mapping and data projects to support the land use management decision processes in Frederick County.

Comprehensive Planning Highlights

The Comprehensive Planning Section is responsible for long-range planning activities including the preparation and updating of the County Comprehensive Plan. Staff also has responsibility for functional planning areas including transportation, water and sewer, historic preservation and environmental planning.

Comprehensive Plan/Zoning Review

In May 2011 the Board of County Commissioners initiated a comprehensive review of the recently adopted 2010 County Plan. During the summer 2011 an application period was open to allow property owners to submit requests to change their zoning and/or land use plan designation and approximately 193 requests were submitted. The requests were presented to the County Planning Commission in the fall and at a public hearing in November the Planning Commission voted to recommend maintaining the 2010 County Plan and to not make any changes to the zoning.

Community and Corridor Planning

The 2010 County Comprehensive Plan established a new planning process that will allow for plan updates to occur at three levels: County Plan, Community Plans, and Corridor Plans. Another update process will involve coordination with municipal plan updates, which may result in amendments to the County Comprehensive Plan. This process replaces the region plan updates, which has been practiced since 1984.

MD 85/355 Corridor Plan

In August 2010 the Board of Commissioners provided direction to initiate the preparation of a Jefferson Community Plan and the MD 85/355 Corridor Plan. The background preparation was underway for both of these plans through the later part of 2011.

Land Preservation, Parks and Recreation Plan

This state mandated plan was last updated in 2006 and is required to be updated every five years. The plan addresses park/recreation, agricultural preservation, and natural resource conservation. The Community Development Division began coordination of the update with the Parks and Recreation staff. A draft of the plan was nearing completion at the end of 2011.

Historic Preservation

The Division's Historic Preservation Planner oversees updates of the Historic Preservation Plan, last updated in 2007 and the Historic Preservation Ordinance, which was adopted in 1997. Staff is also responsible for administering the Historic Preservation Commission.

County Register of Historic Places

Through the Plan and the Ordinance the County maintains The County Register of Historic Places which currently consists of eight sites. Work performed on these designated landmarks is reviewed by the County's Historic Preservation Commission (HPC) for compliance with the Interim Design Guidelines. Its approval is issued as a Certificate of Appropriateness (COA).

Project Reviews

In 2010, the County's Historic Preservation Commission commented on 9 State Highway Administration projects, 1 Maryland Transit Administration project, and 1 Communications Tower project under the Section 106 program. The HPC also provided comments on a Board of Appeals Special Exception case.

Coordination Activities

The Historic Preservation Planner participated in a coordinating role with the following organizations and activities:

- Maryland Heritage Areas Authority Board related to the Heart of the Civil War Heritage Area (HCWHA).
- Catoctin Mountain Scenic Byway Advisory Committee.



Howard Marvin Jones House

Environmental Planning

The Division staff primarily serves in a coordinating role with various environmental planning activities. The watershed management staff previously under the Division of Public Works have been moved into the Community Development Division. The Sustainability and Environmental Resources section is responsible for watershed restoration projects as well as with regional organizations including the Upper Potomac River Tributary Team. The Division also is the primary staff to the Monocacy Scenic River Board. Activity highlights for 2011 include:

- Coordination with the Maryland Department of Natural Resources in the preparation of a county-wide forestlands assessment.
- Prepared the County's Watershed Implementation Plan (WIP) related to the Chesapeake Bay TMDL requirements.

Transportation Planning

The Community Development Division is responsible for coordinating a variety of transportation plans and studies, which involve highway, transit, and bicycle/pedestrian facilities. Primary responsibilities include long range planning and coordination with inter-agency and inter-jurisdiction transportation projects. Activity highlights for 2011 include the following:

- Continued work on the Travel Demand Model including updates to the TAZ's, land use data, and countywide roadway network edits.
- Coordinated the Annual Transportation Priorities Review with the Planning Commission and the Board of Commissioners.
- Initiated Countywide Bicycle and Pedestrian Plan update including outreach public meetings.

Bicycle and Pedestrian Activities

These programs/projects are being coordinated with the County's Division of Public Works, Division of Parks and Recreation, TRANSIT Services, the Health Department and Frederick County Public Schools.

- Bikeways and Trails Plan Update: With reduced transportation planning staff the preparation of the Draft Plan was put on hold.
- Safe Routes to School: Planning staff continued participation in a countywide Safe Routes to School committee to coordinate and assess needs with respect to improving conditions for bicycling and walking for students in the county.

Maryland DOT Project Coordination

Transportation planning staff participates on the Project Teams for State highway projects and studies. The following were active in 2011.

- MD 180/351
- I-70/Meadow Road Interchange
- US 15/Monocacy Boulevard Interchange
- MD 85 Phase I
- Park & Ride Planning & Development at Myersville & Mount Zion Road
- Regional 991 Commuter Bus Schedule Enhancements
- MARC Commuter Rail Project Coordination

Municipal Planning Services

The Division continues to provide planner and liaison services to the County's 12 municipalities. In 2011 Planning staff served as the Town Planners to three municipalities: Rosemont, Thurmont and Woodsboro. The remaining municipalities have their own planning staffs, though the Division continues to have its staff serve as liaisons to the municipalities. The following activities occurred in 2011:

- Continued with quarterly municipal planner meetings.
- Completed the Thurmont Comprehensive Plan.
- Reviewed the Draft Comprehensive Plans for the Town of New Market and the City of Brunswick.
- There were no annexation reviews in 2011.

Water & Sewer Planning

The Community Development Division administers amendments to the County's Water and Sewerage Plan. During 2011, thirteen (13) applications for changes in the Water and Sewer Plan classifications were reviewed as part of the spring, summer, and fall amendment cycles. The County also approved the triennial update of the Water and Sewer Plan in December 2011.

<u>Case</u>	<u>Applicant</u>	<u>Location and Request</u>	<u>Decision</u>
WS-11-01	Russell Holdings, LLC	Request reclassification from W-5, S-5 to W-3, S-3, West side MD 85, TM 86, Parcel 175.	Approved
WS-11-02	City of Brunswick	Request reclassification from S-4 to S-3. South side MD 17, TM 92, Par 29 and Par 2000, Lot 1. TM 91, Parcel 23.	Approved
WS-11-03	Oakdale Investments, LLC	Request reclassification from W-4 to W-3. Woodridge Phase IV, Lake Linganore; TM 68, Parcels 36 and 162.	Approved
WS-11-04	RSB Holdings, LLC	Request reclassification from W-5 to W-4 and S-5 to S-4 plus water tank/plant symbols on the Water Service Area Map in Libertytown; TM 51, Parcel 19.	Approved
WS-11-05	The Drees Company	Request the addition of a public water supply well symbol on the Water Service Area Map for the Town of Myersville's municipal water supply; TM 37, Parcel 33.	Approved
WS-11-06	Dewey Jordan, Inc.	Request reclassification from NPS to S-3. SE corner of Monocacy Blvd. and MD 144 within the City of Frederick; TM 77, Parcel 133.	Approved
WS-11-07	Town of New Market	Request reclassification from W-5 to W-3. North side Main Street, New Market. TM 801, Parcel 3880.	MDE review pending
WS-11-08	Town of New Market	Request reclassification from W-5 to W-3. Wicomico Court; TM 801, Parcel 3900, Lot 40.	MDE review pending
WS-11-09	Town of New Market	Request reclassification from W-5 to W-3. Wynn Hill Court; TM 801, Parcel 3744.	MDE review pending
WS-11-10	Urbana Corporate Center	Request the addition of a 16-inch water line. SE quadrant of MD 80/I-270. TM 96, Parcel 113.	MDE review pending
WS-11-11	Knowledge Farms Partners, LLC	Request reclassification from W-5 to W-3 and S-4 to S-3 and addition of a 16-inch water line and an 18-inch sewer line. TM 96, Parcel 50.	MDE review pending
WS-11-12	Buckeye/Horan, LLLP	Request reclassification from NPS to PS; End of Winmoor Drive, North of Prices Distillery Road. TM 106, Parcel 6.	MDE review pending
WS-11-13	St. John's Catholic Preparatory	Request reclassification from Multi-Use Sewer and Multi-Use Water to W-5, S-5 (TM 95, Parcel 151) and reclassification from NPS to W-5, S-5 (TM 95, Parcel 215, Lot 2; east side MD 85 in Buckeystown	MDE review pending

Land Preservation Activities

The Division administers five land preservation programs including three State programs: the Maryland Agricultural Land Preservation Program Foundation (MALPF), Rural Legacy and Conservation Reserve Enhancement Program (CREP); and two County programs, Critical Farms and Installment Purchase Program (IPP). The County also coordinates with the Federal Farmland Protection Program (FRPP) and the State's Maryland Environmental Trust (MET) program. Additional details of activity in 2011 can be found in the County's Agricultural Land Preservation Annual Report for 2011. As of December 2011 the County had a total of 47,933 acres under permanent preservation.

Critical Farms Program

This is a County program established in 1994 that is used to assist full-time farmers in buying farmland. The properties involved are subsequently preserved under one of the other preservation programs.

Rural Legacy Program

This is a State Program established in 1999 and funded through grants from the Department of Natural Resources (DNR) with County matching funds. The County currently has two designated Rural Legacy Areas: The Mid-Maryland Rural Legacy Area located in the Middletown valley, and the Carrollton Manor Rural Legacy Area located in the Adamstown Region.

MALPF

This is a State program created in the 1970's and Frederick has participated since 1979.

Installment Purchase Program (IPP)

A County program created in 2002, purchases easements using Zero Coupon Bonds and revenue from a 10% share of the County's Recordation Tax. This process enables the County to leverage existing funding to purchase more easement acreage than through traditional lump-sum-easement purchase programs.

2011 Easement Acquisitions

Program	Number of Easements Acquired	Acreage
CREP	4	298
Critical Farms	1	136
FRPP	0	0
IPP	5	877
MALPF	0	0
MET	1	59
Other (DNR)	1	205
Rural Legacy	0	0
Total	12	1,575 acres

